

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

B/O Form PTO-1390 <b>Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371</b>		<i>Attorney's Docket Number</i> YONE3015/JEK
		<i>U.S. Application Number (if known)</i> <b>10/537355</b>
International Application Number  PCT/JP03/15760	International Filing Date  December 10, 2003	Priority Date Claimed  December 27, 2002
Title of Invention  <b>POSITIONING APPARATUS</b>		
Applicant(s) for DO/EO/US  Keitaro YONEZAWA et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under <b>35 USC 371</b>.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under <b>35 USC 371</b>.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (<b>35 USC 371(f)</b>) at any time rather than delay examination until the expiration of the applicable time limit set in <b>35 USC 371(b)</b> and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed <b>35 USC 371(c)(2)</b>.             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (<b>35 USC 371(c)(2)</b>).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (<b>35 USC 371(c)(3)</b>)             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (<b>35 USC 371(c)(3)</b>).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (<b>35 USC 371(c)(4)</b>). ( <input checked="" type="checkbox"/> Executed      <input type="checkbox"/> Unexecuted)</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (<b>35 USC 371(c)(5)</b>).</li> </ol>		
<i>Items 11 to 16 below concern other document(s) or information included:</i> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under <b>37 CFR 1.97</b> and <b>1.98</b>.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with <b>37 CFR 3.28</b> and <b>3.31</b> is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under <b>37 CFR 1.76</b>.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under <b>35 U.S.C. 154(d)(4)</b>.</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under <b>35 U.S.C. 154(d)(4)</b></li> <li>20. <input type="checkbox"/> Other items or information:</li> </ol>		

Application Number (if Known) <b>10/537355</b>	International Application Number <b>PCT/JP03/15760</b>			Attorney's Docket Number <b>YONE3015/JEK</b>													
			Calculations	PTO USE ONLY													
<p>21. The following fees are submitted:</p> <table> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee .....</td> <td>\$300.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee .....</td> <td>\$200.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search Fee .....</td> <td>\$500.00</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> </tr> <tr> <td colspan="2"><b>\$1,000.00</b></td> <td>\$1,000.00</td> <td></td> </tr> </table>						<input checked="" type="checkbox"/> a) Basic national fee .....	\$300.00	<input checked="" type="checkbox"/> b) Examination fee .....	\$200.00	<input checked="" type="checkbox"/> c) Search Fee .....	\$500.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$1,000.00</b>		\$1,000.00	
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<b>TOTAL OF ABOVE CALCULATIONS =</b>																	
<b>\$1,000.00</b>		\$1,000.00															
<p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof.</p>																	
Total Sheets	Extra sheets	Number of each additional 50 or fractions thereof (round up to a whole number)	RATE														
- 100 =	/50 =		x \$250.00														
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																	
CLAIMS	NUMBER	NUMBER EXTRA	RATE														
Total Claims	8	-20 =	0	× \$50.00	\$ 0.00												
Independent Claims	3	-3 =	0	× \$200.00	\$ 0.00												
Multiple Dependent Claims (if applicable)			+ \$360.00														
<b>TOTAL OF ABOVE CALCULATIONS</b>			\$ 1,000.00														
<input checked="" type="checkbox"/> Reduction by ½ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.			\$ 500.00														
			<b>SUBTOTAL</b>	\$ 500.00													
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																	
			<b>TOTAL NATIONAL FEE</b>	\$ 500.00													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.																	
			<b>TOTAL FEES ENCLOSED</b>	\$ 500.00													
			Amount to be:	Refunded:													
				Charged:													

- a.  A check in the amount of \$ 500.00 to cover the fees is enclosed.
- b.  Please charge my Deposit Account Number 02-0200 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 02-0200.

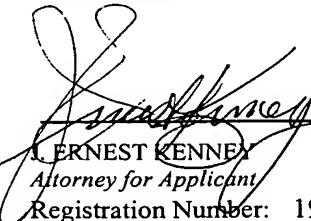
Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

23364

Customer Number  
Phone: (703) 683-0500

DATE: June 6, 2005

Respectfully submitted,

  
ERNEST KENNEY  
Attorney for Applicant  
Registration Number: 19,179